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September 23, 2020

VIA ECF

The Honorable A. Kathleen Tomlinson
United States Magistrate Judge
United States District Court
100 Federal Plaza
Central Islip, NY 11722

Re: *Caccavale v. Hewlett-Packard Company a/k/a HP Inc., et al.*
2:20-cv-00974-GRB-AKT (E.D.N.Y.)

Dear Judge Tomlinson:

This Firm represents Defendant Unisys Corporation in the above referenced matter. We write on behalf of all parties to update Your Honor on the status of this matter and to seek an extension of the deadline for responses to document requests pertaining to the named Plaintiffs from September 28, 2020 to October 28, 2020.

On July 10, 2020, Your Honor held an initial conference with the parties. Among other things, Your Honor ordered that all discovery, other than document discovery with respect to the named Plaintiffs, be held in abeyance pending a decision on Defendants' then forthcoming motions to dismiss Plaintiffs' complaint. Your Honor also set September 28, 2020 as the deadline for responses to document requests pertaining to the named Plaintiffs.

On July 15, 2020 Judge Brown held a conference with the parties and permitted Defendants to move to dismiss Plaintiffs' First Amended Complaint. That fully briefed motion was filed on September 11, 2020 pursuant to Judge Brown's Individual Rules of Practice. On September 14, 2020, Judge Brown denied Defendants' motions to dismiss without prejudice and referred the instant matter to mediation with Defendants' motions to be refiled in the event mediation is unsuccessful. At this juncture, the parties are in the process of choosing a mediator.

The parties jointly request an extension of the September 28, 2020 deadline for responses to the document requests pertaining to the named Plaintiffs to and including October 28, 2020. This is the parties' first request for an extension of the aforesaid deadline and the extension is requested to give the parties sufficient time to prepare their responses.

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Thank you for your attention.

Respectfully submitted,

/s/ Kenneth W. DiGia

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cc: All Counsel of Record (VIA ECF)